

CGB-CC-0820

Brad Frost
Co-Owner
Archery Adventures, LLC
8628 Freedom Trail
Midland, Ga. 31820
706 593-6253
Bowhuntr@mchsi.com

Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 - 12th St. SW
Washington, DC 20554

RE: Petition for Full Exemption from Closed Captioning Requirements

To Whom it may concern:

Archery Adventures, LLC, is a home-based video production company, which was originated by my hunting/business partner, Scott Carroll and myself, Brad Frost in 2004. There are no other employees of this company. Our primary objective is to preserve the hunting heritage by producing high quality non-broadcast videos and a television show "Accept the Challenge" featuring a variety of game from all over the world. It is our goal to motivate hunters of all ages and genders to pursue their own adventures.

We will begin airing our show "Accept the Challenge" again in July of this year. It will be hosted by Scott Carroll and Myself, Brad Frost. These shows will be based on our various hunting trips. The duration of the show will be thirty minutes or less. The program will be advertiser supported and delivered to the television station as a complete program including commercials. We will buy the time block used to air the show. We will pay for one air time per week, 11:30am on Sunday mornings. Due to financial constraints, Scott and I are personally responsible for the entire cost of production of each video and episode. We host the show, pay someone to edit the show and make station dubs. We do not own our production equipment. We currently pay an independent video production contractor for after-hours editing to assist in producing our videos and TV shows. Archery Adventures LLC, hereby petitions for exemption from closed captioning requirements under Section 79.1(d) (2&12).

Notification to Archery Adventures from WXTX Fox 54 about the requirements and the exemptions available was received January 04, 2012. In addition to the undue burden factor, we feel as though we may also fall under the exemption for "non-news program with no repeat value."

Costs associated with closed captioning has been obtained from various captioning sources, including an online brochure from Aberdeen Captioning listing rates from 7\$ to 16\$ per minute (Exhibit "A"). Other sources quoted as much as 600\$ per episode (Exhibit "B"). As for the purchase of equipment to do the closed captioning in-house, Modesto Junior College's website referenced a grant that they used to purchase the necessary equipment for \$5,000 (Exhibit "C"). We are a small profit business so seeking assistance from grants is not an option for us. Archery Adventures, nor the owners, currently have sufficient income resources to cover those levels of expenses.

For the year 2009, Ordinary business income loss was \$29,486. For the year 2010 it \$1,551.

It is our desire that the TV series will continue to expand and the numbers will continue to improve in the future. However, adding the cost of close captioning will increase our expenses approximately \$15,600 (average of 300\$ per week for 52 weeks). Considering these expenses along with our normal expenses would place an undue burden on Archery Adventures,

LLC. and the owners. The only remaining choice would be to terminate the production of the television series, which would eliminate our chances of further promoting a healthy hunting heritage and generating additional income for our business.

As of this time, the sole source of income for Archery Adventures comes from the sale of non-broadcast videos, advertisement for the television show and merchandise, such as hats and shirts. Because we must purchase air time that has limited availability, we must compete with much larger corporations, with greater buying budgets, for that air time. Our advertising prices are as high as they can go and still remain competitive. To add additional cost of closed captioning would drive our rates beyond the reach of many of our present sponsors and price us out of the competitive market.

Our business will be video Production, television and advertising sales. We will deliver our advertising sales thru the "Accept the Challenge" television program. Our video and television production income is based around video services provided to local industry. Our services are on a limited basis and listed as part of our production income.

Archery Adventures, LLC, totally supports the closed captioning concept and we can see where programmers with the proper resources can both benefit the viewers and their clients. With time and new resources we may be able to add close captioning in the future. However, the limited size of Archery Adventures compels us to request an exemption to providing closed captioning as an undue hardship and that Archery Adventures fall under the \$3 million dollar tear income level, as per the requirements under section 79.1 (d) (2 & 12).

As Co-Owner of Archery Adventures, LLC. I have reviewed the Petition for Exemption for closed Captioning filed on my behalf of Archery Adventures, LLC, in this matter and upon information and belief, believe the statements regarding our Organization and "Accept the Challenge" to be true and accurate.

Your consideration in granting this request will be most greatly appreciated. We look forward to receiving your response. Should you have any questions and/or concerns, please do not hesitate to contact me at 706 593-6253 or via email at bowhuntr@mchsi.com

Bradford L. Frost, Co-Owner

January 17, 2012
Date

SUBSCRIBED TO AND SWORN
Before me this 17th day of January, 2012

Cecile W. Berdeaux

Notary Public

My Commission expires: November 11, 2012

Aberdeen Captioning

committed to the **WORD**

Aberdeen Captioning is a full-service captioning company. Our goal is to establish an ongoing, long-term, working relationship with you. We are dedicated to providing you with exceptional service and 100 percent satisfaction guarantee.

Give us a call!

WHY CAPTION?

Other than having to comply with the FCC mandate that requires the following number of broadcast hours to be captioned per day: 10 hours as of 1/1/02, 15 hours as of 1/1/04 and 20 hours as of 1/1/06, captioning is the only way the deaf are able to become a more complete part of the entertainment industry. The National Association of the Deaf reports that more than 28 million Americans have a hearing loss. Captioning your program can potentially increase your audience by 10 percent.

Captioning a program reaches beyond the deaf and hearing-impaired. Over 30 million people are learning English as a second language, 27 million adults are improving their literacy skills and 10 million elementary school children are learning to read. Captioning helps them all improve their language skills.

Don't miss this glant opportunity to reach over 93 million Americans!!!!

POST-PRODUCTION

Post-production captioning is the process of transcribing a program's dialogue and placing it into a new master tape in the form of open captions, closed captions or subtitles.

Closed Captions (roll-up or pop-on) **CC**

A decoding device is required to open these captions for viewing. Captions are recorded on line 21 of the tape and are made visible by using a decoder. All televisions, 13 inches or larger, built after 1993 are required to have a built-in decoder.

Open Captions (roll-up or pop-on)

Open captions look identical to closed captions but no decoding device is required to view these captions. The captions are "burned" into the video tape allowing captions to be visible whenever the video is played.

Subtitles

Subtitling differs from open or closed captioning by the way that it is presented on the screen. It appears in upper and lower case letters and can appear in various colors and fonts. It is also "burned" into the video and visible at all times.

Webcasts and Video CDs

A caption file is created from an encoded video. The caption file is synchronized with the video and played on Windows Media Player, Quick Time or Real Player.

DVDs

A single DVD disk can contain subtitles in up to 32 different languages. Subtitles can be produced in every language, using any Windows TrueType font. A DVD disk can also contain closed captions in up to six languages: English, Spanish, French, Portuguese, German and Dutch.

REAL-TIME (LIVE) CAPTIONING

Real-time captioning is the process of transcribing a program's dialogue, with an accuracy rate of at least 98 percent, and making the text immediately viewable. This is used for live presentations and live television broadcasts...

- Newscasts
- Corporate Meetings
- Public Events
- Sporting Events
- Conventions
- Church Services

POST-PRODUCTION PROCESS

What do I need to do?

- Send master tape along with a blank tape
- Provide correct spelling of all proper names and technical words within the program

What will I receive?

- You will receive 2 tapes: your original master and a copy of the master with captions encoded
- A transcript in a text file e-mailed to you
- 100 percent satisfaction guarantee!

REAL-TIME (LIVE) PROCESS

- Provide correct spelling of all proper names and technical words within the program
- For local events, provide a space and video feed for our onsite captionist
- For on-air broadcasts, you will need an onsite encoder and 2 phone lines: one for our captionist to dial into the encoder and one for our captionist to listen to the audio

PRICING

The below pricing is a general guideline. A specific quote will be given with your complete project details.

Roll-up Captions

\$5 - \$13/video minute - \$200 minimum

Pop-on Captions or Subtitles

\$7 - \$16/video minute - \$200 minimum

Webcasts, DVD, Video CD, Foreign Language

Call for pricing

PRICE INCLUDES:

- Verbatim transcription of your video
- Already have a verbatim transcript? Deduct \$2/min
- VHS approval copy (upon request)
- Normal turnaround of 5-10 business days
- Transcript in a text file e-mailed to you
- Volume discounts available

Live Captioning

Long-term contracts	\$115 - \$135 / hr.
Single event	\$250 / first hr. \$200 / additional hr.



6298 Veterans Parkway
Suite 2L
Columbus, GA 31909
706.322.4885
706.322.2804 fax

Quote

Date	Quote #
1/18/2012	12133

Received & Inspected

JAN 19 2012

FCC Mail Room

Archery Adventures
706.326.4868
scarroll@archeryadventuresga@yahoo.com

Rep

GC

Item	Description	Qty	Cost	Total
SERVICE 40022	PREMIERE VIDEO EDITING	1	600.00	600.00
	Closed Captioning for 30 Minute show.			
	\$20.00 per recorded minute for Custom Captions		7.00%	0.00
Signed: _____			Total	
Date: _____			\$600.00	

MJC receives grant to close caption distance learning videos

The California Community College Chancellor's Office (CCC Live Caption Project) has awarded a new grant to Modesto Junior College for \$112,876.94 to close caption the videos used for the college's distance learning classes. Close captioning will benefit the deaf and hard of hearing populations and will also make these materials more accessible to ESL students and students with various learning styles.

The grant money will be used as follows: \$21,600 for RapidText live captioning for distance education, \$3,300 for equipment to allow captioning of online education courses, \$81,000 for the replacement/captioning of currently non-captioned videos that are checked out by students through the MJC Library and \$5,000 for video production equipment and software to allow closed captioning of future videos produced by MJC.

"MJC is committed to providing equal access to media and education, and to creating a campus environment in which all students enjoy, without discrimination or bias, the same facilities, programs and services," said Nancee Carrillo, alternate media specialist for MJC, and the staff member coordinating and writing the grant application. "This grant will take MJC a step closer to achieving our accessibility goals," she commented.

During the grant application process, Carrillo collaborated with MJC staff members Wes Page, John Chappell, Jim Clarke, Sue Adler and Linda Occhipinti. For more information on the new grant contact Carrillo at (209) 575-6671.

Form 1065

U.S. Return of Partnership Income

OMB No. 1545-0099

Department of the Treasury
Internal Revenue Service

For cal. year 2009, or tax year beg. _____, 2009, and end. _____, 20 _____

2009

▶ See separate instructions.

A Principal business activity SALES	Use the IRS label. Otherwise, print or type.	Name, Number, street, room/suite no., City/Town, state, and ZIP code ARCHERY ADVENTURES LLC	D Employer identification no. [REDACTED]
B Principal product or service VIDEOS		8628 FREEDOM TRAIL MIDLAND GA 31820	E Date business started 04/05/2004
C Business code number 423910			F Total assets (see the instr.) \$

G Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return (6) ☐ Technical termination - also check (1) or (2)

H Check accounting method: (1) ☒ Cash (2) ☐ Accrual (3) ☐ Other (specify) ▶ _____

I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year ▶ _____ 2

J Check if Schedules C and M-3 are attached ☐

Caution. Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

Income	1a Gross receipts or sales	1a	10,164.		
	b Less returns and allowances	1b		1c	10,164.
	2 Cost of goods sold (Schedule A, line 8)			2	
	3 Gross profit. Subtract line 2 from line 1c			3	10,164.
	4 Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)			4	
	5 Net farm profit (loss) (attach Schedule F (Form 1040))			5	
	6 Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)			6	
	7 Other income (loss) (attach statement)			7	
8 Total income (loss). Combine lines 3 through 7			8	10,164.	
Deductions (see the instr. for limitations)	9 Salaries and wages (other than to partners) (less employment credits)			9	
	10 Guaranteed payments to partners			10	
	11 Repairs and maintenance			11	
	12 Bad debts			12	
	13 Rent			13	
	14 Taxes and licenses			14	
	15 Interest			15	1,837.
	16a Depreciation (if required, attach Form 4562)	16a			
	b Less depreciation reported on Schedule A and elsewhere on return	16b		16c	
	17 Depletion (Do not deduct oil and gas depletion.)			17	
	18 Retirement plans, etc.			18	
	19 Employee benefit programs			19	
	20 Other deductions (attach statement)			20	37,813.
	21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20			21	39,650.
22 Ordinary business income (loss). Subtract line 21 from line 8			22	(29,486.)	

Sign Here ▶ Signature of general partner or limited liability co. member manager ▶ Date

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than general partner or limited liability company member manager) is based on all information of which preparer has any knowledge.

May the IRS discuss this return with the preparer shown below (see instructions)? ☐ Yes ☒ No

Paid Preparer's Use Only	Preparer's signature	Date	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN
	Firm's name (or yours if self-employed), address, and ZIP code		EIN ▶	Phone no.

KLM FINANCIAL SERVICES INC
5 BRADLEY PARK COURT SUITE 104
COLUMBUS GA 31904-
04/08/2010
706-653-1188

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

Form 1065 (2009)

Form **1065**Department of the Treasury
Internal Revenue Service**U.S. Return of Partnership Income**

OMB No. 1545-0099

For cal. year 2010, or tax year beg. _____, 2010, and end. _____, 20____

2010

▶ See separate instructions.

A Principal business activity SALES	B Principal product or service VIDEOS	C Business code number 423910	Use the IRS label. Otherwise, print or type. Name, Number, street, room/suite no., City/Town, state, and ZIP code ARCHERY ADVENTURES LLC 8628 FREEDOM TRAIL MIDLAND GA 31820	D Employer identification no. <div style="background-color: black; width: 100px; height: 1em;"></div>
			E Date business started 04/05/2004	
			F Total assets (see the instr.) \$	

G Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return (6) ☐ Technical termination - also check (1) or (2)

H Check accounting method: (1) ☒ Cash (2) ☐ Accrual (3) ☐ Other (specify) ▶ _____

I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year ▶ **2**

J Check if Schedules C and M-3 are attached ☐

Caution. Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

Income	1a Gross receipts or sales	1a	18,077.	1c	18,077.
	b Less returns and allowances	1b			
	2 Cost of goods sold (Schedule A, line 8)			2	
	3 Gross profit. Subtract line 2 from line 1c			3	18,077.
	4 Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)			4	
	5 Net farm profit (loss) (attach Schedule F (Form 1040))			5	
	6 Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)			6	
	7 Other income (loss) (attach statement)			7	
8 Total income (loss). Combine lines 3 through 7			8	18,077.	
Deductions (see the instr. for limitations)	9 Salaries and wages (other than to partners) (less employment credits)			9	
	10 Guaranteed payments to partners			10	
	11 Repairs and maintenance			11	
	12 Bad debts			12	
	13 Rent			13	
	14 Taxes and licenses			14	
	15 Interest			15	
	16a Depreciation (if required, attach Form 4562)	16a		16c	
	b Less depreciation reported on Schedule A and elsewhere on return	16b			
	17 Depletion (Do not deduct oil and gas depletion.)			17	
	18 Retirement plans, etc.			18	
	19 Employee benefit programs			19	
	20 Other deductions (attach statement)			20	16,526.
	21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20			21	16,526.
22 Ordinary business income (loss). Subtract line 21 from line 8.			22	1,551.	

Sign Here ▶ Signature of general partner or limited liability co. member manager ▶ Date

May the IRS discuss this return with the preparer shown below (see instructions)? ☐ Yes ☒ No

Print/Type preparer's name LESLIE HORNE	Preparer's signature	Date 08/08/2011	Check self-employed <input type="checkbox"/>	PTIN <div style="background-color: black; width: 100px; height: 1em;"></div>
Preparer's Firm's name ▶ KLM FINANCIAL SERVICES INC		Firm's EIN ▶ <div style="background-color: black; width: 100px; height: 1em;"></div>		
Use Only Firm's address ▶ 5 BRADLEY PARK CT SUITE 104 COLUMBUS GA 31904-		Phone no. 706-653-1188		

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

Form **1065** (2010)